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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DONALD WORTMAN, WILLIAM
ADAMS, MARGARET GARCIA,
individually and on behalf of all others
similarly situated,

Plaintiffs,

vs.

AIR NEW ZEALAND, LTD., et al.

Defendants.

) Case No. CV 07-5634 CRB

)
) DECLARATION OF JEFF S.
) WESTERMAN IN SUPPORT OF
) ADMINISTRATIVE MOTION TO
) CONSIDER WHETHER CASES
) SHOULD BE RELATED (Civil Local
) Rules 3-12 & 7-11)

This Document Relates to:

Barrett vs. Qantas Airways Limited, et. al.
Case No. CV 08-1140 EMC

1 I, Jeff S. Westerman, declare as follows:

2 1. I am a partner with the firm of Milberg Weiss LLP and am a member in good
3 standing of the State Bar of California. This Declaration is based on personal knowledge, except
4 where specified that information is based on information and belief, and if called to testify, I
5 could and would do so competently as to the matters set forth herein. I am counsel for Plaintiff
6 Lori Barrett and the Class. I submit this Declaration in support of Plaintiff's Administrative
7 Motion to Consider Whether Cases Should be Related.

8 2. Attached hereto as Exhibit A is a true and correct copy of the complaint entitled
9 *Barrett et al. v. Qantas Airways Limited, et. al.*, Case No. CV 08-1140 EMC ("*Barrett*"), the
10 *Barrett* action alleges a conspiracy to fix, raise, maintain and stabilize the price of passenger air
11 transportation services containing transpacific flight segments in violation of Section 1 of the
12 Sherman Act, 15 U.S.C. §1.

13 3. The *Barrett* action is a proposed class action on behalf of purchasers of passenger
14 air transportation services containing transpacific flight segments from defendants. Like
15 *Wortman, et al. v. Air New Zealand, Ltd., et al.*, Case No. CV 07-5634 EMC ("*Wortman*"), the
16 *Barrett* action alleges a conspiracy to fix, raise, maintain and stabilize the price of passenger air
17 transportation services containing transpacific flight segments in violation of Section 1 of the
18 Sherman Act, 15 U.S.C. §1.

19 4. On January 23, 2008, Judge Breyer entered an order relating the Wortman action
20 and (1) *Abrams v. Air New Zealand, et al.*, Case No. CV 08-0339 CRB ("*Abrams*"), filed in the
21 Northern District of California on January 17, 2008; (2) and on February 12, 2008 an order
22 relating *Kaufman v. Air New Zealand, et al.*, Case No. CV 07-6417 CRB ("*Kaufman*"), filed in
23 the Northern District of California on December 19, 2007; (3) and on February 19, 2008 an order
24 relating *Evans v. Air New Zealand, et al.*, Case No. CV 07-5821 CRB ("*Evans*"), filed in the
25 Northern District of California on November 15, 2007; (4) and on February 25, 2008 an order
26 relating *Foy v. Air New Zealand, et al.*, Case No. CV 07-6219 CRB ("*Foy*"), filed in the
27 Northern District of California on December 7, 2007.

28 WESTERMAN DECL. IN SUPPORT OF ADMIN MTN TO CONSIDER WHETHER CASES SHOULD
BE RELATED

CASE NO. CV 07-5634 CRB

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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, employed in the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los Angeles, California 90071.

2. That on March 10, 2008, declarant served the DECLARATION OF JEFF S. WESTERMAN IN SUPPORT OF ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED (CIVIL LOCAL RULES 3-12 & 7-11) by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

4. That on the above date, declarant served via e-mail to: scac@law.stanford.edu.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of March, 2008, at Los Angeles, California.


ELIZABETH VILLALOBOS

SERVICE LIST

Wortman et al. v. Air New Zealand et al
USDC, Northern Dist. No. CV 07-5634 CRB

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